

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICOIn Re:
ROBERTO GARCIA ROSA

xxx-xx-0602

Case No.: 25-01100

Chapter 13

☒ Check if this is a pre-confirmation amended plan☐ Check if this is a post confirmation amended plan
Proposed by:☐ Debtor(s)☐ Trustee☐ Unsecured creditor(s)

Puerto Rico Local Form G

Chapter 13 Plan dated March 29, 2025 .

If this is an amended plan, list below the sections of the plan that have been changed. 2.1; 4.4.

PART 1: Notices**To Debtor(s):** This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.*In the following notice to creditors, you must check each box that applies***To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. The headings contained in this plan are inserted for reference purposes only and shall not affect the meaning or interpretation of this plan.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you must file a timely proof of claim in order to be paid under this plan, unless ordered otherwise.

If a claim is withdrawn by a creditor or amended to an amount less than the amount already disbursed under the plan on account of such claim: (1) The trustee is authorized to discontinue any further disbursements to related claim; (2) The sum allocated towards the payment of such creditor's claim shall be disbursed by the trustee to Debtor's remaining creditors. (3) If such creditor has received monies from the trustee (Disbursed Payments), the creditor shall return funds received in excess of the related claim to the trustee for distribution to Debtor's remaining creditors. (4) If Debtor has proposed a plan that repays his or her creditors in full, funds received in excess of the related claim shall be returned to the Debtor.

The following matters may be of particular importance. Debtor(s) must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.3	Nonstandard provisions, set out in Part 8.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

PART 2: Plan Payments and Length of Plan

2.1 Debtor(s) will make payments to the trustee as follows:

PMT Amount	Period(s)	Period(s) Totals	Comments
\$325.00	Months 1 through 36	\$11,700.00	

Debtor	ROBERTO GARCIA ROSA		Case number	25-01100
Subtotals	36 Months	\$11,700.00		

Insert additional lines if needed

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

2.2 Regular payments to the trustee will be made from future income in the following manner:

Check all that apply

- ☐ Debtor(s) will make payments pursuant to a payroll deduction order.
- ☒ Debtor(s) will make payments directly to the trustee.
- ☐ Other (specify method of payment): _____

2.3 Income tax refunds:

Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will comply with 11 U.S.C. § 1325(b)(2). If the Debtor(s) need(s) to use all or a portion of such "Tax Refunds," Debtor(s) shall seek court authorization prior to any use thereof.

2.4 Additional payments:

Check one.

- ☐ **None.** If "None" is checked, the rest of § 2.4 need not be completed or reproduced.
- ☒ Debtor will make additional payment(s) to the trustee from other sources, as specified below. Describe the source, estimated amount, and date of each anticipated payment.
\$27,100.00 - lump sum payment at month 24. Proceeds from sale of real property at calle 67 calle Quintana, Mayaguez, PR and/or 19 calle Montalvo, Mayaguez, PR.

PART3: Treatment of Secured Claims

3.1 Maintenance of payments and cure of default, if any.

Check one.

- ☐ **None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
- ☒ The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the Debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated, pro-rated unless a specific amount is provided below. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. The final column includes only payments disbursed by the trustee rather than by the Debtor(s).

Name of Creditor	Collateral	Current installment payments (including escrow)	Amount of arrearage (if any)	Interest rate on arrearage (if any)	Monthly PMT on arrearage	Estimated total payments by trustee
BPPR	67 calle Quintana, Mayaguez PR, and/or 19 calle Montalvo, Mayaguez, PR.	\$0.00	\$29,811.41	8.5%		\$31,648.03

Disbursed by:

x Trustee
Debtor(s)

Debtor ROBERTO GARCIA ROSA

Case number 25-01100

3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims.

Check one.

☒ **None.** If “None” is checked, the rest of § 3.2 need not be completed or reproduced.
The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.

☐

Insert additional claims as needed.

3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

☒ **None.** If “None” is checked, the rest of § 3.3 need not be completed or reproduced.

3.4 Lien Avoidance.

Check one.

☒ **None.** If “None” is checked, the rest of § 3.4 need not be completed or reproduced.

3.5 Surrender of collateral.

Check one.

☒ **None.** If “None” is checked, the rest of § 3.5 need not be completed or reproduced.

3.6 Pre-confirmation adequate protection monthly payments (“APMP”) to be paid by the trustee.

☐ Payments pursuant to 11 USC §1326(a)(1)(C):

Name of secured creditor

\$ Amount of APMP

Comments

None.

Insert additional claims as needed.

Pre-confirmation adequate protection payments made through the plan by the trustee are subject to the corresponding statutory fee.

3.7 Other secured claims modifications.

Check one.

☒ **None.** If “None” is checked, the rest of § 3.7 need not be completed or reproduced.

PART 4: Treatment of Fees and Priority Claims

4.1 General

Trustee’s fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

4.2 Trustee’s fees

Trustee’s fees are governed by statute and may vary during the term of the plan, nevertheless are estimated for confirmation purposes to be 10 % of all plan payments received by the trustee during the plan term.

4.3 Attorney’s fees

Check one.

☒ **Flat Fee:** Attorney for Debtor(s) elect to be compensated as a flat fee for their legal services, up to the plan confirmation, according to LBR 2016-1(f).

Debtor ROBERTO GARCIA ROSA

Case number 25-01100

OR

☐ **Fee Application:** The attorneys' fees amount will be determined by the court, upon the approval of a detailed application for fees and expenses, filed not later than 14 days from the entry of the confirmation order.

Attorney's fees paid pre-petition:	\$ <u>1,000.00</u>
Balance of attorney's fees to be paid under this plan are estimated to be:	\$ <u>3,000.00</u>
If this is a post-confirmation amended plan, estimated attorney's fees:	\$ _____

4.4 **Priority claims other than attorney's fees and those treated in §§ 4.5, 4.6**

Check one.

☐ **None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.

☒ The trustee shall pay in full all allowed claims entitled to priority under §507, §1322(a)(2), estimated in \$1,750.00.

Name of Priority Creditor	Estimated Amount of Claim to be paid
AAA	\$1,750.00

4.5 **Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.**

Check one.

☒ **None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.

4.6 **Post confirmation property insurance coverage**

Check one.

☒ **None.** If "None" is checked, the rest of § 4.6 need not be completed or reproduced.

PART 5: Treatment of Nonpriority Unsecured Claims

5.1 **Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid pro rata. If more than one option is checked, the option providing the largest payment will be effective.

Check all that apply.

- ☐ The sum of \$ ____.
- ☐ ____% of the total amount of these claims, an estimated payment of \$ ____.
- ☒ The funds remaining after disbursements have been made to all other creditors provided for in this plan.
- ☐ If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$ ____.

5.2 **Maintenance of payments and cure of any default on nonpriority unsecured claims.**

Check one.

☒ **None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

5.3 **Other separately classified nonpriority unsecured claims.**

Check one.

☒ **None.** If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

PART 6: Executory Contracts and Unexpired Leases

6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected.

Debtor ROBERTO GARCIA ROSA

Case number 25-01100

Check one.

☒ **None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

PART 7: Vesting of Property of the Estate & Plan Distribution Order

7.1 Property of the estate will vest in the Debtor(s) upon

Check the applicable box:

- ☐ Plan confirmation.
☐ Entry of discharge.
☐ Other: _____

7.2 Plan distribution by the trustee will be in the following order:

(The numbers below reflect the order of distribution; the same number means prorated distribution among claims with the same number.)

1. Distribution on Adequate Protection Payments (Part 3, Section 3.6)
1. Distribution on Attorney's Fees (Part 4, Section 4.3)
1. Distribution on Secured Claims (Part 3, Section 3.1) – *Current contractual installment payments*
2. Distribution on Post Confirmation Property Insurance Coverage (Part 4, Section 4.6)
2. Distribution on Secured Claims (Part 3, Section 3.7)
2. Distribution on Secured Claims (Part 3, Section 3.1) – Arrearage payments
3. Distribution on Secured Claims (Part 3, Section 3.2)
3. Distribution on Secured Claims (Part 3, Section 3.3)
3. Distribution on Secured Claims (Part 3, Section 3.4)
3. Distribution on Unsecured Claims (Part 6, Section 6.1)
4. Distribution on Priority Claims (Part 4, Section 4.4)
5. Distribution on Priority Claims (Part 4, Section 4.5)
6. Distribution on Unsecured Claims (Part 5, Section 5.2)
6. Distribution on Unsecured Claims (Part 5, Section 5.3)
7. Distribution on General Unsecured claims (Part 5, Section 5.1)

Trustee's fees are disbursed before each of the distributions above described pursuant to 28 U.S.C. § 586(e)(2).

PART 8: Nonstandard Plan Provisions

8.1 Check "None" or list the nonstandard plan provisions

☒ **None.** If "None" is checked, the rest of Part 8 need not be completed or reproduced.

8.2 THIS SECTION MODIFIES LBF-G, PART 2, SEC. 2.3: INCOME TAX REFUNDS TO BE USED TO FUND THE PLAN. TAX REFUNDS WILL BE DEVOTED EACH YEAR, AS PERIODIC PAYMENTS, TO FUND THE PLAN UNTIL THE PLAN'S COMPLETION. THE TENDER OF SUCH PAYMENT SHALL DEEM THE PLAN MODIFIED BY SUCH AMOUNT, INCREASING THE BASE THEREBY WITHOUT THE NEED OF FURTHER NOTICE, HEARING OR COURT AUTHORIZATION PRIOR TO ANY USE.

8.3 SECURED CREDITOR SHALL RETAIN ITS LIEN ON COLLATERAL.

Insert additional lines as needed.

PART 9: Signature(s)

/s/ Carlos M. Vargas-Muniz
Carlos M. Vargas-Muniz 121607
Signature of Attorney of Debtor(s)

Date March 29, 2025

/s/ ROBERTO GARCIA ROSA
ROBERTO GARCIA ROSA

Date March 29, 2025

By filing this document, the attorney for Debtor(s) or Debtor(s) themselves, if not represented by an attorney, also certify(ies) that the wording and order of the provisions in this chapter 13 plan are identical to those contained in Local Form G (LBF-G), other than any nonstandard provisions included in Part 8.

Debtor	<u>ROBERTO GARCIA ROSA</u>	Case number	<u>25-01100</u>
--------	----------------------------	-------------	-----------------

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

ROBERTO GARCIA ROSA

Debtor

CASE NO. 25-01100-MAG

CHAPTER 13

MOTION SUBMITTING AMENDED CHAPTER 13 PLAN

TO THE HONORABLE COURT:

1. The debtor submits herein an amended Chapter 13 plan dated March 29, 2025.
2. The amended plan increases the base at Part 2.1 and provides for full payment of a priority claim at Part 4.4.

WHEREFORE, the debtor respectfully requests that the amended plan dated March 29, 2025, be deemed to be the plan proposed for confirmation.

NOTICE TO PARTIES IN INTEREST

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve, and file an objection or other appropriate response to this paper with the Clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or, (iii) in the opinion of the Court, the interest of justice requires otherwise.

Certificate of service: I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants. I also certify that this motion has been served on this same

date, by First Class Mail, to their respective addresses of record to all listed creditors and their counsels, and to all those parties in interest as per the attached mailing list.

Dated: March 29, 2025.

/s/Carlos M. Vargas Muñiz

Carlos M. Vargas Muñiz

P.O. Box 1515

Mayagüez, PR 00681-1515

☎ 787-833-5115

💻 vargascarlosm1@gmail.com

Label Matrix for local noticing
0104-2
Case 25-01100-MAG13
District of Puerto Rico
Ponce
Thu Mar 27 08:29:41 AST 2025

US Bankruptcy Court District of PR
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

BECKET AND LEE LLP
PO BOX 3001
MALVERN, PA 19355-0701

BPPR
PO BOX 366816
SAN JUAN, PR 00936-6816

CRIM
PO BOX 195387
SAN JUAN, PR 00919-5387

CRS LAW OFFICE, LLC
PLAZA CHALETS DE CAPARRA
45 CALLE 8 STE 11
GUAYNABO, PR 00966-1766

DEPARTMENT OF TREASURY
PO BOX 9024140
SAN JUAN, PR 00902-4140

INTERNAL REVENUE SERVICE
2970 MARKET ST
STOP 4-N31.142
PHILADELPHIA, PA 19104-5002

ISLAND PORTFOLIO SERVICES, LLC
221 PONCE DE LEON AVE STE 401
SAN JUAN, PR 00917-1809

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

LUNA COMMERCIAL II LLC
c/o RVM PROFESSIONAL SERVICES LLC
AVE REPARTO MENDOZA
HUMACAO, PR 00791

CARLOS M VARGAS MUNIZ
PO BOX 1515
MAYAGUEZ, PR 00681-1515

MONSITA LECAROS ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

OSMARIE NAVARRO MARTINEZ
CHAPTER 13 TRUSTEE
PO BOX 9024062
SAN JUAN, PR 00902-4062

ROBERTO GARCIA ROSA
84 CALLE SAN JUAN
BO. DULCES LABIOS
MAYAGUEZ, PR 00682-3109

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD, MN 56302-7999

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Island Portfolio Services LLC as servicer

End of Label Matrix	
Mailable recipients	14
Bypassed recipients	1
Total	15